

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Lugris Thompson,

Plaintiff,

V.

Las Vegas Metropolitan Police Department et al.,

Defendants.

2:14-cv-01286-JAD-NJK

Order Granting in Part Motions to Dismiss [##28, 36]

11 The court heard oral argument on Las Vegas Metropolitan Police Department and George
12 Libbey's Motion to Dismiss (Doc. 28) and Defendants Clark County and Public Defender Willard
13 Ewing's Motion to Dismiss (Doc. 36) on June 29, 2015. Based on the findings and conclusions the
14 court stated on the record during the hearing.

15 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Motions (**Docs. 28 and**
16 **36**) are GRANTED IN PART and DENIED IN PART as follows:

17 Plaintiff's **second claim for relief** (conspiracy) is **dismissed** in its entirety **with leave to**
18 **amend;**

19 Plaintiff's **third claim for relief** (due process) is **dismissed with prejudice as against**
20 **Clark County and Ewing** because I find amendment of this claim against Clark County and Ewing
21 would be futile;

22 Plaintiff's **fourth claim for relief** (civil rights) is dismissed in its entirety as duplicative of
23 the third claim and **with prejudice**;

24 Plaintiff's **fifth claim for relief** (intentional infliction of emotional distress) is **dismissed**
25 **with leave to amend:**

26 Plaintiff's sixth and seventh claims for relief (malicious prosecution and false

imprisonment) are **dismissed with prejudice** in their entirety because I find amendment of these claims would be futile.

The motions are **denied in all other respects**.

Plaintiff has until July 17, 2015, to file the amended complaint.

Dated this 29th day of June, 2015.

Jennifer A. Dorsey
United States District Judge